

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WMCV PHASE 3, LLC, etc.,

Plaintiff,

vs.

SHUSHOK & MCCOY, INC., etc.; MATT
TURNER; *et al.*,

Defendants.

2:10-cv-0661-GMN-RJJ

ORDER SCHEDULING A
SETTLEMENT CONFERENCE

IT IS HEREBY ORDERED that a settlement conference is scheduled for May 18, 2012, at 8:30 AM, in the ADR Suite, Lloyd D. George United States Courthouse, 333 Las Vegas Blvd. So., Las Vegas, Nevada. Counsel shall check in with Chambers (3d floor, Suite 3005) upon their arrival at the courthouse.

All counsel of record who will be participating in the trial of this case, all parties appearing *pro se*, if any, and all individual parties must be present. No exceptions are made to this requirement.

IT IS FURTHER ORDERED that in the case of non-individual parties, counsel shall arrange for a representative, with binding authority to settle this matter up to the full amount of the claim, to be present in Court for the duration of the settlement conference. No exceptions are made to this requirement.

IT IS FURTHER ORDERED that if either party is subject to coverage by an insurance

1 carrier, then a representative of the insurance carrier, with authority to settle this matter up to the
2 full amount of the claim, must also be present in Court for the duration of the settlement
3 conference. **No exceptions are made to this requirement.**

4 **PREPARATION FOR THE SETTLEMENT CONFERENCE**

5 In preparation for the settlement conference, each party shall submit a confidential written
6 evaluation statement for the Court's *in camera* review. The settlement conference statement shall
7 be concise and shall:

- 8 A. Identify, by name or status, the person(s) with decision-
9 making authority, who, in addition to counsel, will attend the
10 settlement conference as representatives of the party;
11 B. Describe briefly the substance of the suit, addressing the
12 party's views on the key liability issues and damages;
13 C. Describe the principal evidence upon which your party's
14 claims or defenses are based. State the statutory or other authority
15 upon which you base your claims.
16 D. Address whether there are legal or factual issues whose early
17 resolution would reduce significantly the scope of the dispute or
18 contribute to settlement negotiations;
19 E. Describe the history and status of settlement negotiations;
20 and,
21 F. Include copies of documents, pictures, recordings, etc., out
22 of which the suit arose, or whose availability would materially
23 advance the purposes of the settlement conference, (e.g., medical
24 reports, documents by which special damages might be determined.)

25 The settlement conference statements shall be delivered to chambers, Room 3005, not
26 later than **May 11, 2012.** **DO NOT DELIVER OR MAIL THEM TO THE CLERK'S**
27 **OFFICE. DO NOT SERVE A COPY ON OPPOSING COUNSEL.** An original of the
28 settlement conference statement should be in an envelope clearly marked "Confidential, contains
Settlement Conference statement".

The purpose of the statement is to assist the Court in preparing for and conducting the
settlement conference. In order to facilitate a meaningful conference, your utmost candor in
providing the requested information is required. The confidentiality of each statement will be
strictly maintained unless a party gives the Court permission to reveal some or all of the

1 information contained with the statement. Following the settlement conference, the statements
2 will be destroyed. If documents are submitted to the Court for review, the party submitting the
3 documents may request their return provided that such a request is made within three court days
4 following the settlement conference. If no such request is timely received by the Court, the
5 documents will be destroyed.

6 IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order on Defendant
7 Matt Turner by certified mail, return receipt requested. Defendant Matt Turner shall be served at
8 the following address:

9 Matt Turner
10 46 Cimarron Ct
Trophy Club TX 76262

11 DATED this 19th day of April, 2012.

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15 ROBERT J. JOHNSTON
United States Magistrate Judge
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